

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DARLENE BALISTRERI-AMRHEIN	§	
	§	
	§	Civil Action No. 4:23-cv-861-SDJ-KPJ
v.	§	
	§	
CHIEF JUDGE BRENDA RHOADES, ET AL.	§	
	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**


Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On May 22, 2024, the Magistrate Judge entered proposed findings of fact and a recommendation (the “Report”), (Dkt. #6), that Plaintiff Darlene Balistreri-Amrhein’s (“Plaintiff”) claims be dismissed without prejudice and any pending motion be denied as moot pursuant to Rule 41(b) because Plaintiff did not comply with the terms of a pre-filing injunction issued against her.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed,¹ the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s Report as the findings and conclusions of the Court.

¹ On May 22, 2024, the Clerk of Court mailed the Report, (Dkt. #6), to Plaintiff via certified mail return receipt requested. On July 1, 2024, that mail was returned as undeliverable. (*See* Dkt. #7). Plaintiff is responsible for keeping the Clerk of Court advised in writing of her physical address. Local Rule CV-11(d).

It is therefore **ORDERED** that Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE** and all pending motions are **DENIED AS MOOT**.

So **ORDERED** and **SIGNED** this 20th day of July, 2024.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE